

ROCKEFELLER AT LAST CAPITULATES

Through Counsel, He Accepts Subpoena to Appear as Witness Before the Pujio Committee. Jan. 13.

SIEGE OF HOME IS RAISED

"Money Trust" Inquisitors at Wit's Ends When News Came That Millionaire Had Surrendered—His Whereabouts Kept Secret.

After a campaign which began last June and a four-day siege of his home in this city William Rockefeller capitulated yesterday to the power and majesty of the "money trust" investigating committee of Congress. He promised to accept service of the subpoena for his appearance as a witness before the Pujio committee at Washington on January 13.

The white flag of surrender, as the Pujioists called it, or of truce, as Mr. Rockefeller's friends designated the decision of Mr. Rockefeller, was hoisted by the oil and copper magnate's counsel, John A. Garver. The capitulation was announced in a formal statement issued from the office of Samuel Untermyer, counsel to the Pujio committee, and sets the date for Mr. Rockefeller's appearance before that body as January 13. The statement reads:

"By direction of the chairman of the committee, Mr. Untermyer has accepted, on behalf of the committee, the agreement of John A. Garver, counsel for William Rockefeller, to accept service of subpoena for the attendance of Mr. Rockefeller before the committee at Washington on January 13. Following this agreement the sergeant-at-arms of the House has been instructed to discontinue his efforts to effect service on Mr. Rockefeller.

"Mr. Garver has at the same time advised Mr. Untermyer that Mr. Rockefeller's condition of health is very precarious, and that it will be impossible for him to appear as a witness at Washington or even submit to examination at his home.

Will Receive His Excuses.

"Mr. Rockefeller has been informed that, having now submitted to the jurisdiction of the committee, he must present his excuses to the committee in due form, for such action as it may deem proper. If it is established to the satisfaction of the committee that it will be impossible to secure the testimony of Mr. Rockefeller without imperiling his life, the committee would, of course, not feel justified in taking any such extreme action. It may conclude to secure an independent opinion."

John A. Garver, counsel for Mr. Rockefeller, said last night he had accepted the service of the subpoena on behalf of Mr. Rockefeller. He declared it was a voluntary acceptance, after arrangements had been made with Mr. Untermyer in the afternoon.

Mr. Garver declined to answer a question as to whether Mr. Rockefeller was at present in the city.

This is the termination of one of the most extraordinary cases of process service in the history of this country. At no other time has such drastic means been resorted to in an effort to serve a witness. Since last June deputies of Charles F. Riddell, sergeant-at-arms of the House of Representatives, have been trying to serve Mr. Rockefeller with the subpoena. Unsuccessful in their attempts, A. P. Pujio, of Louisiana, chairman of the sub-committee of the Banking and Currency Committee of the House of Representatives, solicited the assistance of the sergeant-at-arms of the House. Mr. Riddell came to this city himself.

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MARINES GUARD BODY OF MR. REID

Coffin Safely Landed from the Cruiser Natal and Placed in Cathedral of St. John the Divine.

CROWDS WATCH CORTEGE

Men Show Respect for Dead Ambassador by Raising Hats as Caisson and Its Burden Pass Through Streets.

The body of Whitelaw Reid was taken from the British cruiser Natal in the North River yesterday afternoon and conveyed by an escort of marines from the American battleships Florida and North Dakota to the Cathedral of St. John the Divine, on Morningside Heights, where the funeral will be held to-day.

Mr. Reid's body lay in the crypt of the cathedral last night, guarded by a detachment of marines from the battleship Connecticut. The coffin was draped simply in an American flag.

The landing of the body at the naval float at 98th street was conducted with solemn and impressive ceremony. A great crowd had gathered along Riverside Drive, overlooking the landing place and near the river front. Hats were removed and heads bowed as eleven of the non-commissioned officers from the Florida lifted the flag draped coffin from Rear Admiral Fiske's launch, which had taken the body from the Natal, and placed it on the waiting caisson of Battery F. 3d Field Artillery, from Fort Meyer, Virginia.

Marines Lead Cortège.

Headed by a battalion of marines from the North Dakota, wearing their sober blue dress uniforms and carrying guns, a mounted corporal and two privates from Fort Meyer guided the spirited horses attached to the gun-wagon on the way to the cathedral. Captain H. B. Wilson and the officers of the North Dakota, with two battalions of sailors and the band from that ship, stood at attention as the cortège passed along the road leading from the landing and turned into 98th street. The band played a dirge. The North Dakota sailors returned to their ship after the body had passed and did not accompany the escort.

Captain T. M. Potts, U. S. N., who came from Washington to represent the Secretary of the Navy, and Chandler Hale, Third Assistant Secretary of State, were at the landing, and followed the body to the cathedral. With Ogden Mills, brother-in-law of Mr. Reid, and the Ambassador's son, Ogden Mills Reid, they rode in automobiles directly back of the caisson. S. S. Hanks, Mr. Reid's former secretary, also was in the party.

The escort marched in silence through 98th street to Broadway and up Broadway to 110th street, where it crossed to Amsterdam avenue and to the cathedral, at 112th street. Several mounted policemen rode in front of the marines and kept the people back to the curbs. Quite a crowd gathered along Broadway as the cortège passed, and it was noticeable that most of the men removed their hats out of respect for the dead Ambassador at the sight of the caisson and its burden.

Petty Officers Pallbearers.

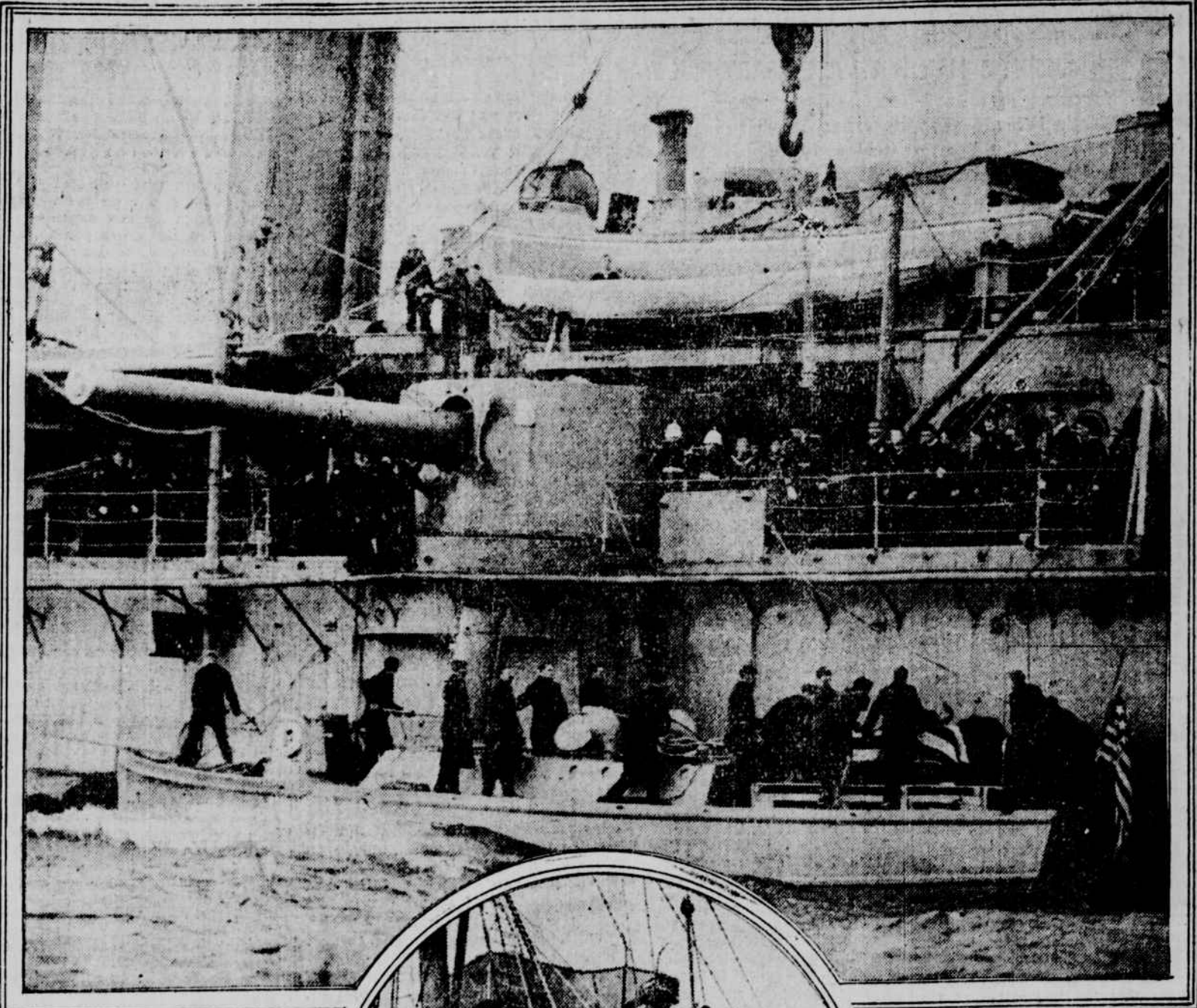
The eleven petty officers from the Florida, in charge of Lieutenant H. K. Hewitt, who acted as pallbearers walked on either side of the gun carriage on the march to the cathedral. They wore dress uniforms covered by their heavy overcoats, with mourning bands on the sleeve. The body was taken to the north side of the cathedral and deposited in the crypt by the pallbearers, while the marines stood at attention. The coffin rested before the altar near the grave of Bishop Potter. There were many beautiful floral offerings at the cathedral, and the crypt was decorated with plants and flowers. An anchor of white carnations and immortelles from Captain Clement Greator, the officers and ship's company of H. M. S. Natal lay on top of the coffin, having rested there during the escort to the cathedral. A large wreath of violets from the employees of The Tribune was placed beside the coffin.

A short service was held in the crypt after the body arrived, at which only the immediate members of the family were present. The Very Rev. William M. Grosvenor, dean of the Cathedral of St. John the Divine, and the Rev. Howard Chandler Robbins, rector of the Church of the Incarnation, which Mr. Reid's family attended, conducted the service.

Dr. Robbins read Psalm 91, "Whoso dwelleth under the defence of the Most High shall abide under the shadow of the Almighty," and Dean Grosvenor read the Lord's Prayer and three prayers with a blessing. Those present at the service were Mrs. Reid, Ogden Mills Reid, Mr. and Mrs. Ogden Mills, Mrs. J. L. Harriman, Captain Potts and Chandler Hale. The body remained in the crypt last night, guarded by the Connecticut's marines. Four marines stood at each corner of the coffin, two guarded the doors to the crypt, while others paced back and forth on the crypt side of the Cathedral. There were twenty men on guard duty, and they worked in two-hour shifts. Cots had been provided.

Continued on third page, third column.

GREAT BRITAIN'S LAST OFFICIAL HONORS FOR WHITELAW REID. Officers and crew of the cruiser Natal line the side and stand uncovered as the body is lowered into the launch of Rear Admiral Fiske, to be taken ashore.



DYNAMITERS' BAIL FIXED AT \$1,100,000

U. S. Circuit Court of Appeals Grants Writ of Supersedeas and Hints at Undue Haste in Imprisonment.

\$10,000 FOR EACH YEAR

Contention of Error in Trying Defendants on Theory of a Continuing Conspiracy Influences Judges—Bonds May Not Be Raised.

Chicago, Jan. 3.—Bonds aggregating \$1,100,000, secured by property worth not less than twice that amount, must be given if the thirty-two labor leaders convicted of conspiracy to transport dynamite are to take advantage of the writ of supersedeas granted here today by the United States Circuit Court of Appeals.

Whether this sum could be obtained was admitted by counsel for the defense to be a matter of grave doubt, but they expressed the belief that at least enough of it could be secured to liberate President Frank M. Ryan of the International Association of Bridge and Structural Ironworkers and a few others until decision had been reached on an appeal, for the filing of which the court allowed sixty days.

Of the thirty-three men now in the Leavenworth penitentiary, Herbert S. Hokin, ex-secretary of the union and designated among his fellow prisoners as the "informant," will not appeal. Judges Baker and Seaman heard the arguments, and the decision was by Judge Baker. He intimated that undue haste was manifested at Indianapolis in committing the defendants to prison.

The writ was issued largely on the point raised by the defense that the ironworkers were convicted of a continuing offense—a conspiracy to commit offenses continuously.

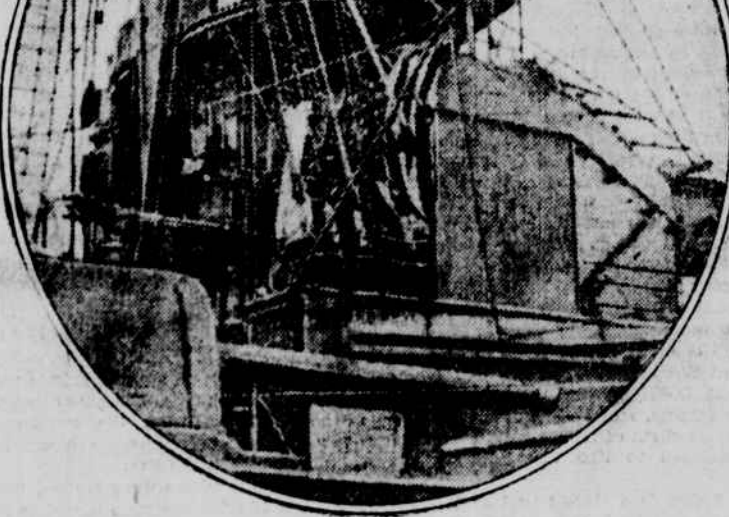
Offenses Not Extraditable.

In fixing bail the court was influenced by the fact that the offenses are not extraditable. Judge Albert B. Anderson, who presided over the trial court at Indianapolis, was authorized to pass upon the suitability and adequacy of any bonds offered. Charles W. Miller, United States Attorney, of Indianapolis, who represented the government at to-day's proceedings, stated that the bonds of surety companies probably would be acceptable, but that the surety must schedule in property twice the amount of the bond.

A basis of \$10,000 for each year's sentence was used by the court in fixing the amount of the bonds. As Ryan was sentenced to serve seven years his bond was fixed at \$70,000, and the same ratio was preserved throughout for the other convicted men.

Judge Baker said in commenting on the errors alleged by the defense against the trial court:

In this case the writ of error is an absolute right; a writ of supersedeas is not an absolute right. It has been the practice of federal criminal prosecution, however, to allow writs of supersedeas, so as to release prisoners on bail until the case is finally decided on review. While the judgment of the trial court presumably is correct, yet there is a possibility of error.



THE CHAPELLE ARDENTE ON THE NATAL. Draped in the British and American flags, the coffin rested under the bridge of the cruiser during the voyage.

AUSTRIAN KAISER NOT ILL DIGS UP \$37,500 IN GOLD

Franz Josef Holds Audiences and Works at Desk.

Vienna, Jan. 3.—The alarming reports in circulation abroad concerning the health of Emperor Franz Josef are untrue.

His Majesty promenade for half an hour at noon to-day on the gallery of Schoenbrunn Castle, received some court dignitaries in audience and worked at his desk as usual.

DIED IN ANOTHER'S GRAVE

Coffin Falls Into Hole, Breaking Digger's Neck.

West Middletown, Penn., Jan. 3.—Hiram Chalmers met death while playing his trade as a grave digger to-day. He received an order yesterday to have a grave ready for a funeral this morning. Chalmers set to work, but had not quite finished the grave when the funeral party arrived at the cemetery.

Chalmers told the minister to proceed with the service, while he continued to clear the bottom of the grave, preparatory to lowering the coffin. While Chalmers was at work the coffin, which had been set on a pile of loose dirt, suddenly slipped, and falling on the grave digger broke his neck.

PLANS GIFT TO MISS GOULD

Y. M. C. A. Wants a Dime from Every Railroad Man.

The New York Central Railroad Young Men's Christian Association plans to do suitable honor to Miss Helen Gould on the occasion of her wedding. The movement was proposed by a railroad conductor at a meeting of the "stovepipe committee" around the domino tables in the social room of the branch at Madison avenue and 45th street. A unique feature is that no effort is to be made to secure individual gifts larger than 10 cents, but the greatest possible effort will be made to bring every railroad man in North America into the movement. The New York railroad men have chosen an executive committee and are hard at work securing subscriptions.

MARDI GRAS—NEW ORLEANS, LA.

From New York via SOUTHERN RAILWAY. Tickets on sale Jan. 27 to Feb. 2. Three daily through trains each direction. Pullman sleeping cars. Dining car service. N. Y. Office, 261 Fifth ave., cor. 29th st.—Adv.

DEATH IN WAKE OF FIERCE GALE HERE

Four Storms from Southwest Join in New York, Making New Record for Sustained Velocity.

HARBOR VESSELS SUNK

Crowds at Battery Wall Watch Heroic Rescues and See Barge and Tug Sink—Many Injured in the City.

The storm which has swept over the entire eastern part of the United States north of Alabama, and is now central over the lower St. Lawrence Valley, carried havoc in its wake in this vicinity, causing many accidents and at least two deaths, while other persons had narrow escapes.

The recapitulation of accidents in the immediate vicinity of New York yesterday shows one man drowned by being blown into New York Bay from a Jersey Central train, a deckhand drowned in a sinking tug, a child's skull fractured by a falling flagpole, a woman's leg cut off by a train, beneath which she was blown by the wind, and a man blown overboard at Coney Island and rescued from the heavy surf.

The name of the man blown into New York Bay could not be learned and the man's body was not found, though the train was stopped and a search was made. The accident happened at a point between Elizabethport and Bayonne. The man was passing from one car to another, when a gust of wind struck him and took him off his feet. The deckhand who lost his life was trying to pass a hawser to a drifting barge when the small boat he was in capsized.

Miss Mary Kiddie, who lived at No. 1570 53d street, Lefferts Park, Brooklyn, came near to death when she was blown under a West End train at the New Utrecht avenue station, and, though she escaped with her life, lost her left leg.

Checked by Mud and Runaway.

She all but bled to death before she was taken to the Coney Island Hospital. When the woman was taken from under the train an ambulance was called from the Norwegian Hospital. An automobile ambulance was sent and as it went through 74th street it was speeding. Between Fort Hamilton avenue and Tenth avenue the asphalt paving ended, but the driver did not know it, and before he could stop the ambulance was driven into mud up to the hubs, where it stuck.

When no ambulance arrived to take Miss Kiddie to the hospital another call was sent in and this time a horse drawn ambulance was dispatched. When it got to the place where the motor ambulance was stuck the driver stopped and endeavored to help the chauffeur get the car free. The horse pulled so hard that he broke the harness and then ran away. He was caught, re hitched and the motor ambulance pulled out of the mud. In the mean time the police was asked for an ambulance.

Continued on second page, fourth column.

BLUDGEONED AFTER ACCUSING POLICE BEFORE BUCKNER

Leader of Pushcart Association Knocked Senseless and Books Containing Evidence Mutilated.

ASSAULTED IN HIS OFFICE

Harry H. Schlacht Had Promised to Bring Proof of His Charges to Aldermanic Counsel a Few Hours Earlier—Blackjack Stops Him.

BRINGS IN SCHMITTBERGER

Head of Pedlers' Organization Tells of Vain Effort to Bring Alleged Extortion Before Waldo—Sipp, Graft Witness, Flits In and Out of Town.

Harry H. Schlacht, the representative of the pushcart pedlers of the East Side, who conferred with Emory R. Buckner, counsel to the aldermanic committee, yesterday afternoon, was blackjacked at his office soon afterward and the books of the association which Schlacht said would show that graft had been paid to policemen, and which he had promised to bring downtown to Mr. Buckner this morning, were torn and rendered useless as evidence.

Schlacht saw Buckner at 1:30 o'clock yesterday and outlined to him the methods by which the police exacted graft from the pedlers of the East Side. He gave Buckner the names of half a dozen pedlers who were willing to swear as to graft payments, and promised to bring the books of the pedlers' association to Mr. Buckner's office this morning as further corroboration.

He told the counsel to the aldermanic committee that he had laid the complaint of the pedlers before the Police Department, but he was doubtful of getting any real investigation from that quarter, because of the attitude of Chief Inspector Schmittberger, he said. Schlacht was willing to take the stand yesterday afternoon and give sworn testimony to the same effect as the startling story he told Buckner, but the lawyer advised him that his testimony would have far greater weight if he would produce at the same time the books of the pedlers' association showing the graft payments and the evidence of individual pedlers who could corroborate his story of graft.

Knocked Senseless by Intruder.

Schlacht left the office after making an engagement to meet Mr. Buckner this morning, bringing the books with him. It was after 3 o'clock when Schlacht left the City Hall, and because of several calls upon East Side pedlers arranging for their evidence it was nearly 5 o'clock when he reached the rooms of his association, at No. 1 Avenue B.

When he came into the rooms he found a man there rummaging over the books of the association, which were lying on an uninclosed shelf. Before he had time to even see the face of the intruder the man drew a black jack and felled Schlacht with one blow. It was half an hour later when Samuel Goldberg, attorney for the association, came in and found Schlacht unconscious on the floor. He revived him and together they examined the books. They found that the minute book and the ledger were gone and that from the cash book several pages had been ruthlessly torn out, and a further examination showed that the missing pages were those which contained entries showing cash disbursed for "sick benefits."

Schlacht had previously explained to Mr. Buckner that the graft payments to police from the pedlers were concealed under the heading of "sick benefits," although the association does not actually concern itself in any way with that benevolent function.

Followed from City Hall.

It developed later that Schlacht had been followed from the City Hall after his conference with Mr. Buckner. Before he entered the building to talk to the aldermanic counsel he observed two men who seemed to be following him. He noticed them again when he came out, and an hour after the assault a small boy of the neighborhood told Mr. Goldberg that three men had been seen running down the stairs and out on the street from Schlacht's office at about 5 o'clock.

Schlacht assured Mr. Buckner last night that the attack would not deter him from going to the bottom of the graft methods used by the police on the pedlers. With his head bandaged, but entirely recovered from the blow, the young East Side said:

"I will go the limit on this matter. After the treatment I received at Police Headquarters the other day I am not surprised at this assault, but the pedlers will stand back of me in this appeal to the al' men."

The reference made by Schlacht to his reception at Police Headquarters